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UNITED NATIONS DECADE OF INTERNATIONAL LAW

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-SIXTH SESSION

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Letter dated 18 November 1994 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to forward to you the statement issued on 16 November 1994 by the Spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda items 136, 137 and 140.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative of the Democratic People's Republic of Korea to the United Nations

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ANNEX

Statement issued on 16 November 1994 by the Spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea

The "Ulsa Five-Point Treaty" is a fake document which lacked necessary conditions and passed no formalities as a pact between countries.

As the original text of the "treaty" discovered two years ago shows, there is no endorsement or signature of the then Emperor Kojong and no seal of the State in the "treaty" and it has no title. It was never recognized by the Emperor.

As Konnosuke Hayashi, Minister of Japan at the time of the fabrication of the "treaty" confessed, the "treaty" was fabricated coercively by the Japanese imperialists with the mobilization of their armed forces.

As seen above, the "Ulsa Five-Point Treaty" is a fake document which had no legal validity either in the view of the domestic law of old Korea or in the view of the then "international law".

Nevertheless, the authorities of the Government of Japan refuse to admit the crimes committed by the Japanese imperialists in the past. This clearly shows how shameless and brazen they are, and proves that they still harbour the wild ambition for aggression and domination over Asian countries, including Korea.

The Government of the Democratic People's Republic of Korea and the Korean people bitterly denounce the unreasonable position and attitude of the authorities of the Government of Japan, who do not admit that stark historical fact. It is a foolish attempt today to try to bury into oblivion the past crimes of the Japanese imperialists.

The issue concerning old "treaties", including the "Ulsa Five-Point Treaty", is not confined to whether their illegality and invalidity are admitted or not. It shows whether or not the Government of Japan is ready to atone sincerely for its past crimes against Korea and to break with its militaristic past.

The Government of Japan must frankly admit the historical crimes committed against the Korean people and sincerely atone for them at an early date.